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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/673,614	10/19/2000	Jean-Francois Grimaldi	Q61365	2115

7590 06/15/2004
Sughrue Mion Zinn
Macpeak & Seas
2100 Pennsylvania Avenue NW
Washington, DC 20037-3213

EXAMINER

NGUYEN, PHUONGCHI T

ART UNIT PAPER NUMBER

2833

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/673,614

Applicant(s)

GRIMALDI ET AL.

Examiner

Phuongchi Nguyen

Art Unit

2833

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 26 April 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 9, 12 and 13.

Claim(s) objected to: _____.


Claim(s) rejected: 1-8, 10, 11 and 14-16.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.,
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because:

1. Applicant argues that in W.H.McKee, "there is no disclosure of "at least one housing for receiving a spring contact and opening onto both of said first and second faces" is not deemed persuasive, because it is inherent that each conductive contact always needs the insulative housing as a holder to rest in a fixed position to isolate from another contact and to permit a proper contact portion of each conductive contact to engage with a mating contact.
2. Applicant argues that in W.H.McKee, "the first and second braches (arms) are not "substantially" U-shaped but are, in fact, substantially "L" shaped." Is not deemed persuasive. Depending on the viewer location, to Examiner, the first and second braches (arms) are "substantiality" forming a U-shape.
3. Applicant argues that in W.H.McKee, there is no disclosure that the first and second braches (20' and 21') lie in two diverging planes...where they intersect the base" is not deemed persuasive. The two braches intersect at the base, and lie in two different planes. Therefore, they are lying in two diverging planes.
4. Applicant argues that in W.H.McKee, the braches 16 and 20' do not lie in two diverging planes with respect to each other at the base, and are both co-planar with the base." Is not deemed persuasive. The same discussion as section 3, the two braches 16 and 20' are not co-planar and intersect at the base and lie in two different planes. Therefore, they are lying in two diverging planes.
5. Applicant argues that in Gettig et al, "the blade 54 and the upper contact 66 are two separate distinct pieces which are joined together at or near the tongues 84...no disclosure ..are made integrally" is not deemed persuasive. The blade 54 and the upper contact 66 are two separate distinct pieces which are joined together at the tongues 84 and they are integral at the end 64 as seen in figure 7.
6. Applicant's arguments of the rejection under 35USC 102(e) as being anticipated by U.S. Patent No. 6,077,130 to Hughes et al and the 131 Affidavit filed on April 26, 2004 have been fully considered and are persuasive. The rejection under 35USC 102(e) as being anticipated by U.S. Patent No. 6,077,130 to Hughes et al has been withdrawn. .


P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800